

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

707J0571

HOUSE APPROPRIATIONS COMMITTEE ENGROSSED

NO. **HB 1152** - 02/10/2004

Introduced by: Representatives Konold, Adelstein, Bartling, Begalka, Bradford, Buckingham, Christensen, Craddock, Cutler, Davis, Deadrick (Thomas), Dykstra, Elliott, Frost, Garnos, Gassman, Gillespie, Glenski, Hackl, Hanson, Hargens, Haverly, Heineman, Hennies, Hundstad, Hunhoff, Juhnke, Klaudt, Kraus, Kroger, Lange, LaRue, Lintz, Madsen, McCaulley, McCoy, McLaughlin, Michels, Miles, Murschel, Novstrup, O'Brien, Olson (Mel), Olson (Ryan), Pederson (Gordon), Peterson (Bill), Peterson (Jim), Rave, Rounds, Schafer, Sebert, Sigdestad, Smidt, Solum, Teupel, Thompson, Valandra, Van Etten, Van Gerpen, Van Norman, Weems, and Wick and Senators Apa, Abdallah, Albers, Bogue, Brown, de Hueck, Dempster, Dennert, Diedrich (Larry), Duenwald, Duniphan, Duxbury, Earley, Greenfield, Ham-Burr, Jaspers, Kelly, Kleven, Kloucek, Knudson, Koetzle, Koskan, LaPointe, McCracken, Moore, Nachtigal, Napoli, Olson (Ed), Reedy, Schoenbeck, Sutton (Dan), Sutton (Duane), Symens, and Vitter

1 FOR AN ACT ENTITLED, An Act to authorize the South Dakota Building Authority, the  
2 Office of the Attorney General, and the Department of Public Safety to contract for the  
3 construction of a law enforcement training academy, a criminal forensic laboratory, and a  
4 criminal justice and emergency operations center building in Pierre, to make an  
5 appropriation therefor, and to declare an emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

7 Section 1. It is in the public interest that the South Dakota Building Authority, the Office  
8 of the Attorney General, and the Department of Public Safety may contract for the construction,  
9 completion, furnishing, equipping, and maintaining of a law enforcement training academy, a



1 criminal forensic laboratory, and a criminal justice and emergency operations center building  
2 in Pierre, including heating, air conditioning, plumbing, water, sewer, electric facilities,  
3 architectural and engineering services, asbestos abatement, site preparation, and the construction  
4 of sidewalks and driveways and landscaping the grounds of that facility, and such other services  
5 as may be required to accomplish the purposes of this Act, all at the estimated cost of twenty-  
6 one million three hundred thirty thousand dollars.

7 Section 2. There is hereby appropriated from the state general fund the sum of seven million  
8 twenty thousand five hundred dollars (\$7,020,500) to the Office of the Attorney General and one  
9 million one hundred forty-four thousand five hundred dollars (\$1,144,500) to the Department  
10 of Public Safety for the purposes of this Act.

11 Section 3. There is hereby appropriated the sum of five million dollars (\$5,000,000), or so  
12 much thereof as may be necessary, in federal fund expenditure authority to the Department of  
13 Public Safety for the purposes of construction, completion, furnishing, equipping, and  
14 maintaining of an emergency operations center.

15 Section 4. Beginning July 1, 2005, the South Dakota Building Authority may issue revenue  
16 bonds in accordance with this Act and chapter 5-12. In no event may the building authority issue  
17 bonds for more than eight million one hundred sixty-five thousand dollars.

18 Section 5. No indebtedness, bond, or obligation incurred or created under the authority of  
19 this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor  
20 against the property or funds of the State of South Dakota within the meaning of the  
21 Constitution or statutes of the state.

22 Section 6. The South Dakota Building Authority, the Office of the Attorney General, and  
23 the Department of Public Safety may accept, transfer, and expend any funds obtained for these  
24 purposes from federal sources, gifts, contributions, or any other source, all of which shall be

1 deemed appropriated to this construction.

2       Section 7. The administration of the design and construction of these facilities and oversight  
3 of building committees appointed therefor, as provided in § 5-14-3 shall be under the general  
4 charge and supervision of the commissioner of the Bureau of Administration, the attorney  
5 general, the secretary of the Department of Public Safety, and the executive secretary of the  
6 building authority. The executive secretary of the building authority, the commissioner, the  
7 attorney general, and the secretary of the Department of Public Safety shall approve vouchers  
8 and the state auditor shall draw warrants to pay expenditures authorized by this Act.

9       Section 8. The attorney general or the secretary of the Department of Public Safety may  
10 make and enter into a lease agreement with the building authority and make rental payments  
11 under the terms thereof, pursuant to chapter 5-12, from appropriations to be made by the  
12 Legislature for the payment of such rent and to support the construction, completion, furnishing,  
13 equipping, and payment of revenue bonds issued pursuant to this Act.

14       Section 9. Any amounts appropriated in this Act not lawfully expended or obligated by  
15 June 30, 2008, shall revert in accordance with § 4-8-21.

16       Section 10. Whereas, this Act is necessary for the support of the state government and its  
17 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
18 full force and effect from and after its passage and approval.